#### RECEIVED FEDERAL ELECTION COMMISSION

**TO: Office of the General Counsel** 

Federal Election Commission 2010 SEP 20 PM 12: 36

999 E. Street, WW

Washington, DC 20463

FM: Veterans for the Constitution

PO Box 251

East Moline, IL 61244

OFFICE OF GENERAL COUNSEL

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**RE: MUR 6367** 

13 September, 2010

SUBJECT: VETERANS FOR THE CONSTITUTION'S reply to James Moody's complaint to the FEC

To Whom It May Concern;

The purpose of this letter is to address James P. Moody's complaint to the Federal Election Commission, dated 27 August, 2010, wherein he accuses the *Veterans for the Constitution* (a political action connelited, referred to he accessor has VitC) of violating several FEC rules, regulations, guidelines et al.

Spenking for our organization, I would like to address each allegation one at a time, but I feel compelled to restate what V4C first advised the FEC in a letter (of which a copy is attached) dated 29 June, 2010: "We are a very small organization and our goal is to back candidates in the Illinois 17th District who believe in and support the Constitution of the United States. Our donations are minimal and our organizational structure is myself and two other vets. We are truly a "mom & pop" organization that is grass roots in nature. It is collectively our first venture into the political arena and because of that, our skills and aptitude in dealing with the FEC's rules and regulations are remedial. But please know it is our intention to follow the law in all matters."

Per the excerpt from V4C's littler to the FEC above, it is vitally important year understand we are making more than a group of concerned veteran-citizens. We are upt a large, well-established, corporate-level, scheming and conniving organization operating with a malicious or devious intent. Simply stated, we are "everyday folk" with a single goal — making our country, once again, a nation of honor, one that will be safe and secure for our children... a nation that actively follows and defends our Constitution with a belief that the words "In God We Trust" represent much more than a mere motto stamped on our currency.

In his seven-page complaint, IVII. Mondy stated his belief is that V4C is some type of agent, front, or shell for the Bubby Schilling for Congress committee and further alleged that V4C acts in sourcest with and is directed by same. Moody stated monies spent by V4C are nothing more than unreported political contributions to the Schilling campaign. He further wrote V4C was late in filing for the status of a Political Action Committee (PAC) and did not meet FEC's guidelines with regard to reporting contributions. Additionally, he asserted V4C did not include a disclaimer of paid for by V4C on our two billboards and one newspaper advertisement (copy attached). Finally, Mr. Moody claimed V4C used a candidate's name in the title of our organization and web site.

Mr. Moody is "urging" the FEC to conduct an investigation, issue a cease-and-desist order against our PAC, and levy a fine on V4C in "the maximum amount permitted by law". This from a man who states he is only fling a complaint with the PEC for purely altituistic reasons—not because he is the Democratic County Chairman for Sasguenan County, Ifinois, nor beneats he is a financial eacher of Phil Hare's caregoign. It is not most sinease bolief that Moody has a vested interest it shutting down Y4C.

It is the contention of V4C that this "independent" complaint was filed at the behest of those involved with the Hare campaign. V4C further contends said complaint is nothing more than a <u>retaliatory</u> response brought about by V4C's ongoing efforts to unseat IL 17<sup>th</sup> District Congressman Hare from office. Further, it is our members' collective belief that the complaint was filed with the <u>sole intention of intimidating V4C into silence</u>. It should be noted that Hare has firsthand knowledge of FEC violations; in 2005, the FEC fined the <u>Friends of Lane Evans \$205,800</u>. This fine was for the same cumpaign finance violations for Meody may accuses V4C of perpetrating. I would be remiss if I did not point out that Hare was and aid to then Gongressman Epans and was a major player in lids campaign.

Modely's alingations are best addressed by atiling you about the bistary of our organization. On April 1t, 2010, IL 17th District Congressman Phil Hare was in a meeting with constituents in Quincy, IL. During the Q&A period, he was asked about the constitutionality of the newly-passed Health Care Bill. Hare responded "I don't worry about the Constitution" and moments later commented the Declaration of Independence "doesn't matter either." In our community, especially among the veterans in our community, this was an outrage and made things personal. The veterans who comprise V4C swore a solemn cath to "support and defend the Constitution, against all enemities, livreign and domestic," and Hare's comments on the Constitution and Declaration of Independence were the moral equivalent of an act of documents on the Constitution and Declaration of Independence were the moral equivalent of an act of documents on the insurance and have sween to defend. His comments double't have been more personally insulting even if he'd tried. The gospien and resentment on the part of our offended veterans only deepaned further when Hare, given a chance to recent his worsts, refused. Personally, I have been on the sidelines of politica as an observer during a career spanning over 25 years as a US Secret Service agent. In those days, I never did more than vote. I am also a decorated combat veteran from the Vietnam War and have shed blood for my country. I could not... nor could anyone else in V4C... let Hare's viewords go unchallenged.

A little-minded friend of mine, Ken Moffett (PRESIDENT OF v4c), itimself a veteran of the Vietnam War—and later, Russ Taylor (EECRETATE OF v4c), a tora-toral veteran of Operation Iraql Fraelism—formed what was initially called Veterans for Schilling. This loose affiliation of the three of us, plus other vets who came along later, grew from an idea over coffee. The initial group was formed on or about early- to mid-April, and then only AfiTER Hare's aforementiened statement. We knew two things as absolutes: we wanted Hare out of office and Bobby Schilling (the Republican candidate) believed in the sanctity of the Constitution. So we decided to raise funds and put up a billboard calling Hare "on the carpet" for his anti-Constitution statements. It was also decided to start a web site, which we did on or about 22 April, 2010. The web address was <a href="https://www.vets4Schilling.org">www.vets4Schilling.org</a>.

On 14 April, 2010, Ken and I opened a checking account at THE National Bank (TNB) in Moline, IL, under the name of Veterans for Schilling. As word of our mission spread, we started receiving cash and checks, all of which were recorded appropriately and then deposited into the TMB account. As the denations came in, plants were made to design and purchase inlibered space. On ser about 15 April, "Vets 4 Schilling" signed a postract and paid for a billimark that depicted a People Heart & Silver Star drained over a finished American flag, with the words "We Swere to DEFIND the Constitution. Some of an Bl.5D, some of as Diffe. Mr. Hare, the Constitution MAZTERS TO US." This billingard, creeted in East Moline, IL, and still standing, was "signed" Veterans4Schilling.org and paid for by Veterans for Schilling (VAS). Our intent for this billboard WAS NOT about being "pro Bobby Shilling" it was then as it is now about being ANTI-Phil Hare.

As V4S became more organized we started receiving moral support and advice from web visitors and others who supported our stand. In the mid- to late-April time frame, V4S was advised that, if over \$1000 had laten collected (and it had), we removed to contact the FEG about establishing a PAC. We were also given goldance NOT to use a conditioner's name in our PAC's title.

On 22 April, nine days after our first organizational step of opening a dedicated-for-the-purpose bank account, establishing a web site, and contracting for a billboard, Ken Moffett called the FEC in Washington, DC, at 202.694.1140/202.694.1100. Ken discussed our situation with James McAlister who said he would send a copy of the FEC handbook to our organization. After receiving the handbook and reviewing the more salient points applying to us, it was agreed that we met all requirements for PAC status. On 3 May, Ken again called the FEC at 202.694.1100 and spoke with Lejuan Dean and requested PAC-filling paperwork be sent to our organization. After not receiving the materials in what seamed a reasonable delivery time for the United States Postal Service (USPS), Hen again called the PEC on 10 May, spenising this time to Tooya Prespotit. Ken made it is point to explain this year his seamed request for the PAC paperwork. Ms. Prescott total him she would send the requested paperwork without fail. On os about the mid- to late-May time frame, I picked up the paperwork, sent by Ms. Prescott, at our East Moline, IL. Post Office Box.

After perusing the enclosed documents that pertained to our organization, it was decided that we (Ken, Russ, and I) would immediately change our name to Veteruns for the Constitution (V&C). We felt this was a name that would better reflect the broad conservative base that we see as our support. The name change was made to our web site (we became <a href="www.Vets4Constitution.org">www.Vets4Constitution.org</a>) and our one existing billionard was "tatelrad over" to reflect Vets-Edmittitution.org as well as Paid for by Veterans for the Constitution. The name on our hank arrayunt at TND was changed to Veterans for the Constitution and we ordered naw charge the new hance as well. Nothing remained of the V&S organization but a memory. The FEC Form 1, Statement of Organization, was completed, signed, and mailed on 24 May, 2010. The letter's confirmation receipt came from Ms. Alexandra Broomhead, dated 11 June, 2010, notifying us the FEC was in possession of our statement of organization and V4C had been assigned ID #C00484147. I was also asked to clarify my response to line 6 of FEC Form 1 – Name of Any Connected Organization, et al. I had intentionally left it blank because we were not then nor are we now, affiliated

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with any other organization. However, the FEC required a negative response, hence the letter I mentioned in my opening paragraph, dated 29 June, 2010.

The next order of business was the FEC Form 3X – Report of Receipts and Disbursements. The V4C officially business as RAC (per difficial natification by the FEC) on 1 June, 2010 and the 3X was filled in accordance with our status and funding on 7 July, 2010. In FEC Form 3X, all denations and expenditures associated with V4C (since its inception) were listed. The next 3X Form filing is in October. As I have been advised during my phone conversations with the FEC, the finance-related 3X form is the most important form and ours is in compliance. Again, Moody complains that any money collected and used prior to the formation of V4C was and is a direct contribution to the Schilling campaign. Money raised before V4C existed was used to fund two billboards and to pay for miscellaneous administrative expenses (establish a web-site, check printing, purchase canditate-support pins, et cetera). Our organization's financial records are to be found as attachments to this letter. All, and I mean ALL, denations and unparalitimes are thoroughly reparded and well-floconnebland.

So, to address Mondy's complaint that VAC finances are not in compliance with the FEC – I say, "not true." The 3X FEC form has been filed correctly and in a timely manner.

Was V4C tardy in submitting the PAC paperwork (FEC Form 1) within the requested 10-day window? Yes, it was late. However, we opened a bank account on 14 April; we made our initial documented inquiry to the FEC on 22 April, just nine days later. Once the FEC paperwork was received mid- to late-May, 2010, we filled on 24 May, 2010. We believe a very reasonable argument can be made that we were actually "in the proposs" of filing and were but tuchnitally separating, "late."

Did V4C past the disclaimer required by law? Why yes we did. It was/is gosted on both billhounds and the newspaper ad (see attachments).

Were funds received by our organization used to directly benefit the Schilling campaign? No, they were not. We are on record of supporting Bobby Schilling due to his political views, as well as other conservative candidates, but one of the primary goals for our web site and our advertising is to get Phil Hare out of office. Please refer to our web site for verification of same.

Another complaint owners a "Veterons for Bubby" lessges dinner held on 7 Mily, 2050, at the American Legion in East Moline, it. This hand rainer was organized by the then V4S promination and all procumds wern solely for the use of sold entity. V4S used the money from that fund salar for the previously mentioned billboard (our first) in East Moline, to condemn Hare for his remarks against the Constitution. Is this a direct contribution to the Schilling campaign, as stated by Mondy? No, it isn't any more than a "letter to the editor" published in any newspaper, which endorses or attacks a particular candidate, is a "direct contribution." Did Schilling speak at the event? Yes, he did — along with other people V4S invited for that purpose. Furthermore, Rich Morthland (currently a candidate for it. Representative) and Vince DeBruine (candidate for the Rock Island County Board) were invited to speak, but had conflicting schedules.

How is Bobby Schilling's speaking to a gathering of veterans, any different – legally or ethically – than Hare's speaking to latter-union fund raisers? Have holds this type of fund raiser on a regular basis and union marriages attend at this specific request of the Hare compatign and contributions are splicited. Neither VAC, nor the shart-lived preducessor group ¥45, has given a picked to the Schilling compatign and I challenge Mr. Moody to prove otherwise. Conjecture, supposition and specification do not qualify as evidences.

Did we use a candidate's name in our first organization's title and in the address of our web site? Yes, we did. However, when our consultation with the FEC countered our inexperience and naiveté with education and guidance, we immediately took steps to correct this error and do the right thing, changing our name (as previously stated) and completing the process of filing our PAC request with the FEC.

Item last - with reference to Mir. Naruday's attachment of the" THARRIK YOU!!!" pasting on the V46/V4C web site for the turn out for the lasagna dinner on 7 May, it is six (6) paragraphs in length (highlighted copy attached). Acknowledging Schilling's remarks to the gatherest crowd made up one of the paragraphs AND it was "split billing" at that. Ray Hamilton was also mentioned in the same paragraph in reference to his reading of a letter of endorsement of Schilling (as a defender of the constitution — see newspaper ad attachment) from our hometown Medal of Honor recipient, John Baker.

In closing, let me point something out. Moody's mantra is "Anything V4C does is directed by and of benefit to, the Schilling cumpaign." Period. Mr. Weody does not understand the impassioned dynamics fueling our veteran-driven organization — and I suspect he never will. I would add that, unless he ever served in uniform (of which I am simulatful) — he cannot understand that exactifying V4C is sloing is simply about examplishing a mission and nothing exons. That mission? Return America to the people. V4C does and exist for the purpose of getting any one man into diffice. It does, however, exist to remove from office these that will not protect that for which we have fought.

With respect\_for without oversight there would be no order. Without order there would be chaos.

William Albracht - Treasurer - Veterans for the Constitution - www.vets4constitution.org

#### ATTACHMENTS:

- 1.) Copy of letter to the FEC from V4C dated 29 June, 2010
- 2.) Copy of Title National Bank V4S & V4C checkbook lag fram 14 April 13 September, 2010
- 3.) April, May, June, July, and August, 2010 V4S & V4C bank statements
- 4.) V4C FEC Form 3X dated 7 July, 2010 This is being included to compare V4C finances as reported on 3X to the May and June bank statements (see highlighted areas & notes reference same).
- 5.) Copy of billboards (labeled A, B & C) and newspaper ad (labeled D) attached as one
- 6.) Copy of the web posting "THANK YOU!!!"

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TO: Federal Election Commission 999 E Street, NW WDC, 20463

FM: Veterans for the Constitution

PO Box 251

E. Moline, IL 67244-0251

Subject: Statement of Organization (FEC Form 1) dated 24 May, 2010 - Line 6

To Whom It May Concern,

Reference is made to the letter I received dated June 11, 2010. In the subject letter, line 6 of our Statement of Organization was called into question. Line 6, Name of Any Connected Organizations, Joint Fundraising Representatives, or Landership PAC Specially, was left blank. It was left blank intentionally as we are not affiliated or connected to any other organization. Further, we do not share control or financing with other committees or organizations.

We are a very small organization and our goal is to back candidates in the Illinois 17<sup>th</sup> District who believe in and support the Constitution of the United States. Our donations are minimal and our organizational structure is myself and two other vets. We are truly a "mom & pop" organization that is grass roots in nature. It is collectively our first veriture into the political arena and because of that, our skills and aptitude in dealing with the FEC's rules and regulations are remedial. But please know it is our intention to follow the law in all matters.

I do hope that this inter clears up any confusion that may being inadvertently been chated by the lack of information on line 6:

Sincerely,

William Albracht – Treasurer Veterans for the Constitution FEC ID NO: C00484147

# M 110442922

**FEC** FORM 3X

# REPORT OF RECEIPTS **AND DISBURSEMENTS**

For Other Than An Authorized Committee

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## SUMMARY PAGE OF RECEIPTS AND DISRUBSEMENTS

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 '.	Tot	al Disbursements (from Line 31)							
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Federal Election Commission 999 E Street. NW Washington, DC 20463

Toll Free 809-424-9530 Local 202-694-1100

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### **DETAILED SUMMARY PAGE**

of Receipts

FEC Form 3X (Rev. 06/2004)

Write or Type Committee Name

Page 3

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#### **DETAILED SUMMARY PAGE**

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FEC Form 3X (Rev. 02/2003)

Page 4

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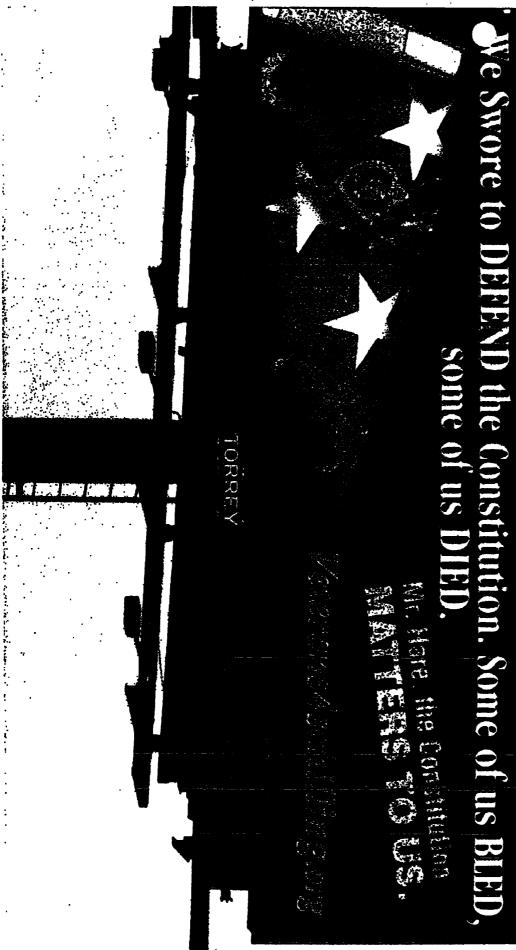
#### **DETAILED SUMMARY PAGE**

of Disbursements

Page 4 FEC Form 3X (Rev. 02/2003) COLUMN A COLUMN B **!i. Disbursements** i **Total This Period** Calendar Year-to-Date 21. Operating Expenditures: (a) Allocated Federal/Non-Federal Activity (from Schedule H4) (i) Federal Share ..... (ii) Non-Federal Share..... (b) Other Federal Operating Expenditures ..... (c) Total Operating Expenditures 22. Transfers to Affiliated/Other Party 24. Independent Expenditures 26. Loan Repayments Made..... (b) Political Party Committees ...... (c) Other Political Committees (such as PACs)..... (d) Total Constribution Referents 313.67 29. Other Disbursements ..... .31367 30. Federal Election Activity (2 U.S.C. §431(20)) (a) Allocated Federal Election Activity (from Schedule H6) (i) Federal Skare ..... (ii) "Levin" Share..... (b) Federal Elegtion Activity Part Entirely With Federal Funds..... (c) Total Federal Election Activity (add .. Lines 30(a)(i), 30(a)(ii) and 30(b)).... ▶ 31. Total Disbursements (add Lines 21(c). 22. 23. 24, 25. 26. 27, 28(d), 29 and 30(c))... 313.67 313.67 32. Total Federal Disbursements (subtract Line 21(sidil) and Line 30(a)(ii) from Line 31).....

# DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)	or dispursements		Page 5	
Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date		
Total Contributions (other than loans) (from Line 11(d), page 3)	29—		<u> 19 — </u>	
Total Contribution Refunds (from Line 28(d))	Ø		Ø.	
Net Contributions (other than loans) (subtract Line 34 from Line 33)	Z9.—		29	
Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))▶	Ø		Ø	
Offsets to Operating Expenditures (frem Line 15. page 3)	3/3 67		313 67	
Net Operating Expenditures (subtract Line 37 from Line 36)	284.67		284.67	
	Net Contributions/Operating Expenditures  Total Contributions (other than loans) (from Line 11(d), page 3)	FEC Form 3X (Rev. 02/2003)  Net Contributions/Operating Expenditures  Total Contributions (other than loans) (from Line 11(d), page 3)	FEC Form 3X (Rev. 02/2003)  Net Contributions/Operating Expenditures  Total Contributions (other than loans) (from Line 11(d), page 3)  Total Contribution Refunds (from Line 28(d))  Net Contributions (other than loans) (subtract Line 34 from Line 33)  Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))  Offseign to Operating Expanditures	

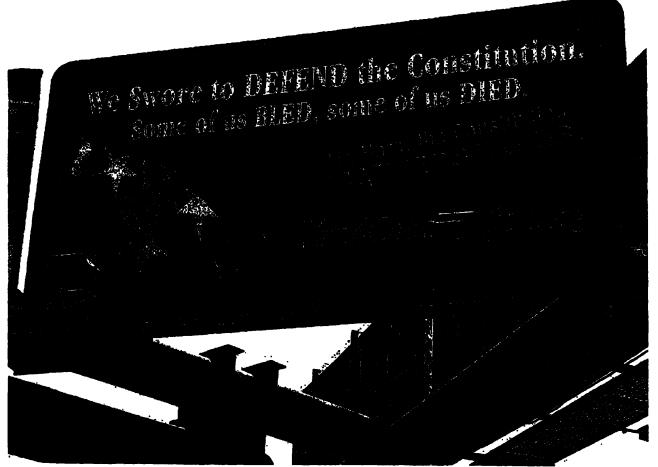


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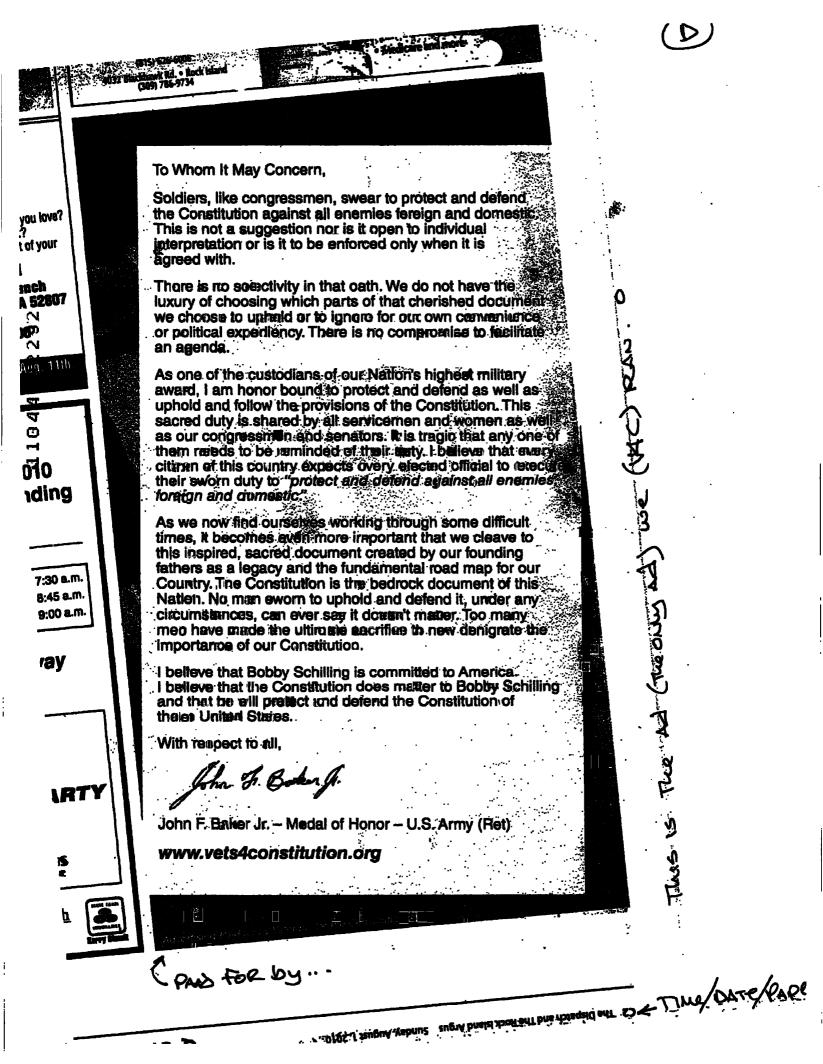
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TO Vereyan for the Constitution The HILLBOREVINAL



2 M2 Billboard Located in Galesburg, III Vers 4 Constitution - Never changes.



#### THANK YOU!!!

#### **Vets 4 Schilling Fundraiser Huge Success**

Veterans For Schilling would like to take this opportunity to thank all who attended, but especially the volunteers that made the evant possible. So in no particular order, thank year Annætte, Paulu, Mary, Non, Courteey, Pat H. & Pat S. for donating your time to make the Lasagna dinner fundraiser an outstanding event.

Bobby's remarks to the crowd on hand had everyone up and applauding. It was not only a testament to Bobby, but to the message he is delivering to the voters of the 17<sup>th</sup>, and that message is "enough is enough." The people must again regain control of their government and let it begin HERE and let it begin NOW. As inspirational and on-target as Bobby's remarks were, the true highlight of the evening was the letter read by Ray Hamilton from Sergeant John Baker, the Quad Cities' own Medal of Hoppy recipient (much more on this lator).

The 50/50 drawing was won by the Handel Family of Colona (with the lovely and charming Holly actually holding the winning ticket). Holly and her family (dominated by Marines!) donated the winnings back to Vats 4 Schilling! Our most sincere thanks to the Handel family... and even the Marines.

Retired Coptain Rich "Big Mac" McDonald sent in a \$100 denation for the event. Rich lives in the Philly area but served shoulder-to-shoulder in heavy combat with Bill Albracht and figures this makes him even! Seriously, Rich is a great American and also wants his country back.

All in all, the avent raised almost \$1350! This maney will go directly to the next *Veterans For Schilling* billboard to be erected at a specially-targeted venue in the 17<sup>th</sup> Congressional District. So to paraphrase that famous naval hero John Paul Jones, we have not yet begun to fight! We now have the magnantum and we mean to keep it.

Remember, every donation to *Veterans For Schilling* goes directly to the cause. There are no administrative expenses or fees. Every cent is accounted for and is spent on nothing but getting our message out, so please send whatever you can whenever you can.

Ken Mosfett, Russ Taylor, and Bill Albrauht

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The Event, 7 May, was 3 WKSON 2 day After forming & Betorp we Received Guidence